

# Alabama Department of Mental Health - Division of Developmental Disabilities Services

## Validation Tool for Home and Community-Based Services Settings Rule:

### Residential Provider Settings

This tool cross-references the Centers for Medicare & Medicaid Services (CMS) and the Department of Mental Health (DMH) compliance requirements for residential provider settings with the CMS home and community-based services (HCBS) settings rule. It provides justification to support a reviewing agency's determination of compliance and gives reviewers a reference of state benchmarks for HCBS compliance.

Settings that do not fully meet compliance requirements at the time of assessment will have an opportunity to remediate. A setting-specific transition-to-compliance plan that identifies specific steps for remediation will be utilized. The provider **must** implement **all** of the steps for remediation included in the setting-specific transition-to-compliance plan by **September 30, 2021** in order for the setting to be considered fully compliant and eligible for HCBS funding after March, 2022. Please note steps for remediation related to presumed institutional issues and included in the setting-specific transition-to-compliance plan must be completed by **July 1, 2020**, per CMS guidance.

#### HCBS requirements from the Code of Federal Regulations (C.F.R.) are cited below:

- 42 C.F.R. § 441.301(c)(4): Home and community-based settings must have all of the following qualities and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered plan:
  - 42 C.F.R. § 441.301(c)(4)(i): The setting is integrated in and supports full access of people receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as people not receiving Medicaid HCBS.
  - 42 C.F.R. § 441.301(c)(4)(ii): The setting is selected by the individual from among setting options including non-disability specific settings. The setting options are identified and documented in the person-centered plan and are based on the individual's needs and preferences.
  - 42 C.F.R. § 441.301(c)(4)(iii): Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
  - 42 C.F.R. § 441.301(c)(4)(iv): Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.
  - 42 C.F.R. § 441.301(c)(4)(v): Facilitates individual choice regarding services and supports, and who provides them.

**Settings that are ineligible for federal Medicaid HCBS funding after March, 2022, unless remediated to the point they overcome the presumption they are institutional and meet all of the above HCBS requirements, are cited below:**

- 42 C.F.R. § 441.301(c)(5)(v): Any setting that is located in a building that is also a publicly or privately operated setting that provides inpatient institutional treatment, any setting in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS **will be presumed to be a setting that has the qualities of an institution** unless the federal Department of Health and Human Services determines through heightened scrutiny, based on information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings.

<b>1. The setting is in a building that houses a publicly or privately-operated setting which provides inpatient institutional care</b>	
<p>a. Is the setting under the same roof as a building that houses a <b>publicly or privately-operated</b> setting which provides inpatient institutional care: skilled nursing setting (SNF), immediate care setting for individuals with intellectual disabilities (ICF/IID), institute for mental disease (IMD), or hospital?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> The setting cannot be part of a publicly or privately-operated setting which provides institutional care.</p> <p><b>Intent:</b> The setting cannot be institutional and be compliant with the home and community-based settings rule.</p>
<b>Validation Comments:</b>	
<b>2. The setting is located on the grounds of, or immediately adjacent to a public institution</b>	
<p>a. Is the setting in a building located on the grounds of, or immediately adjacent to, a building that is a <b>public</b> institution which provides inpatient institutional care<sup>1</sup> (Skilled Nursing Setting (SNF), Intermediate Care Setting for Individuals with Intellectual Disabilities (ICF/IID), Institute for Mental Disease (IMD), or hospital)?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> The setting should not be located on the grounds of, or immediately adjacent to, a building that is a public institution which provides inpatient institutional care.</p> <p><b>Intent:</b> The setting should not have institutional characteristics to be compliant with the home and community-based settings rule.</p>
<b>Validation Comments: (If answer is YES, note whether setting is “on grounds of” or “immediately adjacent to”)</b>	

<sup>1</sup>The CMS definition of public institution under the new rule is the existing definition under 42 C.F.R. § 435.1010: “Public Institution” means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control. For purposes of this regulation, a public institution is an inpatient setting that is financed and operated by a county, state, municipality, or other unit of government. A privately-owned nursing setting is not a public institution.

3. The setting isolate people from the broader community of individuals not receiving Medicaid HCBS	
<p>a. Due to model used for service provision, do individuals <i>have limited opportunities</i> for interaction in and with the broader community, including interactions with individuals not receiving Medicaid HCBS?</p> <p>YES OR NO</p> <p>[Opportunities, if present and not limited, should be reflected in <b>both</b> the individuals' person-centered plans <b>and</b> in the policies and practices the provider implements in this particular setting.]</p>	<p><b>Benchmark:</b> Settings should not isolate people from the broader community or have policies or practices that cause, or are likely to cause, such isolation.</p> <p><b>Intent:</b> Settings must incorporate access to the broader community, including access to opportunities to interact with individuals not receiving Medicaid HCBS.</p>
<p><b>Validation Comments:</b></p> <ul style="list-style-type: none"> <li>• Note what was found in review of individual person-centered plans and provider policies/practices.</li> <li>• In considering whether opportunities are limited, also consider what is typical – in terms of opportunities for involvement in the broader community and interaction with members of the broader community – for individuals living in the same geographical area who are not receiving Medicaid HCBS. Do waiver participant in this setting have the same or similar opportunities as those living locally who are not receiving Medicaid HCBS?</li> </ul>	
<p>b. Does the setting restrict and/or limit individuals' choice to receive services outside of the setting or to engage in activities outside of the setting?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Settings should not isolate people from the broader community or have policies or practices that cause, or are likely to cause, such isolation.</p> <p><b>Intent:</b> Settings must incorporate access to the broader community, including access to opportunities to interact with individuals not receiving Medicaid HCBS.</p>
<p><b>Validation Comments:</b></p> <p>If yes, note how and when does the provider operating the setting typically restrict/limit one or both of the following:</p> <ul style="list-style-type: none"> <li>▪ Choice of individuals to receive services outside of the setting</li> <li>▪ Choice of individuals to engage in activities outside of the setting</li> </ul>	

<p>c. Is the setting physically located separate and apart from the broader community.</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Settings should not isolate people from the broader community or have policies or practices that cause, or are likely to cause, such isolation.</p> <p><b>Intent:</b> Settings must incorporate access to the broader community, including access to opportunities to interact with individuals not receiving Medicaid HCBS.</p>
<p><b>Validation Comments:</b>  <b>In your comments, note what “broader community” the setting belongs to. Note how far from the center of that “broader community” the setting physically located? Note whether the setting on the “outskirts” of a community or is located separate and apart from the nearest community.</b></p>	
<p><b>4. The setting facilitates easy and convenient access the broader community for people receiving services in that setting</b></p>	
<p>a. Are there gates, locked doors, or other barriers that would prevent a person’s ability to independently leave and re-enter the setting?</p> <p>YES (for all waiver participants)  YES (only for waiver participants with modification in PCP)  NO</p>	<p><b>Benchmark:</b> Setting should not prevent people from having easy access to the broader community.</p> <p><b>Intent:</b> Settings must incorporate access to the broader community.</p>
<p><b>Validation Comments:</b> If yes, note specifics. Address whether these gates, locked doors, or other barriers prevent some or all waiver participants, but not staff, from independently leaving and re-entering the setting. If yes, is this modification specific to individual need or applied to all waiver participants? If specific to individual need, confirm the need for this modification is documented in each waiver participant’s person-centered plan.</p>	

5. The setting is in a location where it is easy and convenient for people to access the broader community	
<p>a. Is the setting within walking distance to allow people access to places open to the public in the broader community?</p> <p>YES</p> <p>NO (alternative plan in place)</p> <p>NO (no alternative plan in place)</p>	<p><b>Benchmark:</b> Setting is within 1/8 mile (walking distance), to allow people access to places open to the public in the broader community. If not within 1/8 mile, the setting has a plan in place to allow people access to public places in the broader community.</p> <p><b>Intent:</b> Setting must incorporate access to the broader community by being within walking distance (1/8 mile or less) or having an alternative way people can access places open to the public in the broader community.</p>
<p><b>Validation Comments:</b></p>	
<p>b. At or near the setting, are there sidewalks and/or pedestrian pathways that are physically accessible to allow people to unimpeded access to walk to places open to the public in the broader community?</p> <p>YES</p> <p>NO (alternative plan in place)</p> <p>NO (no alternative plan in place)</p>	<p><b>Benchmark:</b> Setting has sidewalks and/or pedestrian pathways that are physically accessible to allow people to unimpeded access to walk to places open to the public in the broader community. If not, the setting has a plan in place to allow people access to public places in the broader community.</p> <p><b>Intent:</b> Setting must incorporate access to the broader community by being near sidewalks and/or pedestrian pathways that are physically accessible to allow people to unimpeded access to walk to places open to the public in the broader community.</p>
<p><b>Validation Comments:</b> If yes, note how many places open to the public are accessible through sidewalks and/or pedestrian pathways that are at or near the setting and physically accessible.</p>	

<p>c. Is the setting close to places open to the public that have other people from the broader community coming and going? Examples of places include but are not limited to those listed in 5d. below.</p> <p>YES NO (alternative plan in place) NO (no alternative plan in place)</p>	<p><b>Benchmark:</b> Setting is within 1/4 mile of places open to the public that have people from the broader community coming and going. If not, the setting has a plan in place to provide access to places open to the public that have people from the broader community coming and going.</p> <p><b>Intent:</b> Setting must incorporate access to the broader community by being within 1/4 mile or less of other businesses that have people from the broader community coming and going.</p>
<p><b>Validation Comments:</b></p>	
<p>d. Is the setting near (within 1 mile) of at least four (4) of the following: parks, recreational activities, schools and colleges or universities, and public facilities, such as library, community center, job center, restaurants, stores, etc.?</p> <p>YES NO (alternative plan in place) NO (no alternative plan in place)</p>	<p><b>Benchmark:</b> Setting is near and has access to the following: parks, recreational activities, schools, colleges or universities, and public facilities such as library, community center, job center, restaurants, or stores (or equivalent). If not, the setting has a plan in place to provide access to at least four (4) of the following which are located in the broader community: parks, recreational activities, schools and colleges or universities, and public facilities, such as library, community center, job center, restaurants, stores, etc.</p> <p><b>Intent:</b> Setting must incorporate access to the broader community by being near and having access to a variety of community places and activities. The setting is within one mile or less to at least four of the following: parks, recreational activities, schools and colleges or universities, public facilities such as library, community center, job center, restaurants, stores, or an equivalent. The intent is to ensure ease of access.</p>
<p><b>Validation Comments:</b></p>	

<b>6. People receiving HCBS have regular opportunities to interact with people not receiving HCBS</b>	
a. Are the people receiving HCBS interacting with people from the broader community (people who are not receiving HCBS and who are also not paid staff or volunteers) on a daily basis?  YES  NO	<b>Benchmark:</b> Setting provides daily interaction with people from the broader community.  <b>Intent:</b> The setting supports people to interact with the broader community on a daily basis.
<b>Validation Comments:</b> If yes, note examples. Note also where this interaction typically occurs and how extended or brief the interaction typically is.	
b. Is a telephone available for people to use whenever they wish?	<b>Benchmark:</b> A telephone allows for people to have access to friends, family, etc. who are members of the broader community and who may not be receiving HCBS.  <b>Intent:</b> The setting must support and facilitate people's communication with the broader community.
<b>Validation Comments:</b>	
c. Is a telephone in a location that allows a person privacy when using it?	<b>Benchmark:</b> The setting must offer people privacy when a person is using telephone to communicate with friends, family, etc. who are members of the broader community and who may not be receiving HCBS.  <b>Intent:</b> The setting must provide privacy for making telephone calls that is the same as what would be expected by a person not receiving HCBS.
<b>Validation Comments:</b>	

d. Do people have a private, unsupervised place to meet with visitors?	<p><b>Benchmark:</b> The setting must offer people privacy when a person is at home and meeting with friends, family, etc. who are members of the broader community and who may not be receiving HCBS.</p> <p><b>Intent:</b> The setting must provide privacy for a person to meet with people from the broader community, including friends and family, at the person's home.</p>
<b>Validation Comments:</b>	
e. Do people receiving HCBS have opportunities in the setting that involve interacting with people without disabilities who are not receiving HCBS and also not paid staff or volunteers?	<p><b>Benchmark:</b> Individuals have opportunities in the setting that involve members of the broader community rather than being limited to activities in the setting that only involve other people with disabilities also receiving HCBS and paid staff/volunteers..</p> <p><b>Intent:</b> People should have access to opportunities in the setting that enable them to interact with people not receiving HCBS.</p>
YES NO	
<b>Validation Comments:</b>	
<b>7. The setting offers options for people to receive services in community-based integrated settings outside of their home</b>	
a. Does the setting offer options for people receiving HCBS to receive services in community-based integrated settings outside of their home?	<p><b>Benchmark:</b> Setting offers a variety of daily options and opportunities for people to access community-based integrated settings outside of their home.</p> <p><b>Intent:</b> The setting offers daily options and opportunities for people to access the community outside of their home.</p>
YES (daily) YES (at least every other day) YES (at least weekly) NO (not at least weekly)	
<b>Validation Comments:</b>	



8. The setting provides regular opportunities and support for interaction with people not receiving HCBS in integrated community settings so that people can participate in these to the extent they desire in any given week	
<p>a. Does the setting provide opportunities and support for people receiving HCBS to interact with others (who are not paid staff or volunteers) in integrated community settings?</p> <p>YES (daily) YES (at least every other day) YES (at least weekly) NO</p>	<p><b>Benchmark:</b> Setting provides daily opportunities and support for people to choose to do things that bring them together, in integrated community settings outside the home, with members of the broader community (not receiving HCBS and not staff or volunteers).</p> <p><b>Intent:</b> People should have daily opportunities and support to choose to interact with members of the broader community in integrated community settings.</p>
<p><b>Validation Comments:</b></p>	
<p>b. Does the setting provide opportunities and support for people to choose and participate in non-work activities in integrated community settings?</p> <p>YES (daily) YES (at least every other day) YES (at least weekly) NO</p>	<p><b>Benchmark:</b> Setting provides regular opportunities and support for people to choose and participate in non-work activities in integrated community settings</p> <p><b>Intent:</b> The setting provides opportunities and support for regular participation in non-work activities, in integrated community settings, that people can choose to participate in.</p>
<p><b>Validation Comments:</b></p>	
<p>c. Does the setting allow and support people receiving HCBS to have the same degree of access to the broader community as people not receiving HCBS have?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Setting provides the same degree of access to the community as people not receiving HCBS.</p> <p><b>Intent:</b> People should have the same degree of access to the community as those not receiving HCBS.</p>
<p><b>Validation Comments:</b> Consider how much access to the broader community a person not receiving HCBS (living the same community) typically has. Do HCBS waiver participants have the same degree of access to the broader community?</p>	

<p>d. Does the setting <u>encourage</u> typical relationships between persons receiving HCBS and neighbors from the immediate broader community? Typical relationships would be those that would otherwise typically exist between neighbors living in the same local area.</p> <p>YES (at least weekly) NO (not at least weekly)</p>	<p><b>Benchmark:</b> Setting encourages at least weekly interactions with at least one neighbor so individuals have opportunity for relationships with members of the immediate broader community that are typical of relationships people not receiving HCBS would have.</p> <p><b>Intent:</b> Setting encourages interactions with members of the immediate broader community that are typical of relationships people not receiving HCBS would have.</p>
<p><b>Validation Comments:</b></p>	
<p>e. Does the setting encourage and support meaningful interactions, outside of the setting, with members of the broader community not receiving HCBS (who are also not paid staff or volunteers)?</p> <p>YES (daily) YES (at least every other day) YES (at least weekly) NO (not at least weekly)</p>	<p><b>Benchmark:</b> At least three times a week, setting encourages and supports opportunities for meaningful interactions – not just mutual presence- with members of the broader community, outside of the setting.</p> <p><b>Intent:</b> Setting encourages and supports regular interactions that are meaningful interactions – meaning not just mutual presence- with members of the broader community, that occur outside of the setting.</p>
<p><b>Validation Comments:</b></p>	

9. Transportation is available to and from the setting	
<p>a. Is there public transportation between (to/from) the setting and the broader community?</p> <p>YES</p> <p>NO (but setting provides transportation and/or facilitates a person's access to other non-public transportation options that are available)</p> <p>NO (and setting does not provide transportation or facilitate a person's access to other non-public transportation options that are available)</p>	<p><b>Benchmark:</b> The setting provides or supports access to transportation between (to/from) the setting and the broader community (excludes other HCBS settings). If public transportation is not available, the setting provides information about other available transportation options to access the broader community (excludes other HCBS settings).</p> <p><b>Intent:</b> Intent is that setting facilitates access to transportation that connects the person with broader community beyond transportation to other HCBS settings. This means it provides transportation if expected to do so and/or it otherwise enables people to access and learn about other available options.</p>
Validation Comments:	
<p>b. Is there <b>accessible</b> public transportation between (to/from) the setting and the broader community, for those who need it?</p> <p>YES</p> <p>NO (but setting provides accessible transportation and/or facilitates a person's access to other non-public accessible transportation options that are available)</p> <p>NO (and setting does not provide accessible transportation or facilitate a person's access to other non-public accessible transportation options that are available)</p>	<p><b>Benchmark:</b> The setting provides or supports access to accessible transportation between (to/from) the setting and the broader community (excludes other HCBS settings). If accessible public transportation is not available, the setting provides information about other available accessible transportation options to access the broader community (excludes other HCBS settings).</p> <p><b>Intent:</b> Intent is that setting facilitates access to accessible transportation that connects the person with broader community beyond transportation to other HCBS settings. This means it provides accessible transportation if expected to do so and/or it otherwise enables people to access and learn about other available options.</p>
Validation Comments:	

<p>c. Does the setting provide transportation for people receiving HCBS to the broader community <b>when requested</b>?</p> <p>YES (always) YES (sometimes) NO</p>	<p><b>Benchmark:</b> The setting responds to individual requests for transportation (accessible if needed) to support access to the broader community when an individual wishes to access the broader community. The setting supports the person to utilize public transportation, if available. If no public transportation available, the setting provides transportation to honor the individual request. If the setting cannot provide transportation, the setting provides information about, and support to access, other transportation options that may be available to the person.</p> <p><b>Intent:</b> Intent is that setting facilitates access to transportation that connects the person with broader community and enables the person to do this when s/he desires.</p>
<p><b>Validation Comments: If sometimes, explain details.</b></p>	
<p>d. Does the setting provide information (in an accessible format and convenient location for HCBS participants) regarding types of transportation available to people receiving HCBS in the setting?</p> <p>YES (accessible format and convenient location) YES (accessible format only) YES (convenient location only) NO</p>	<p><b>Benchmark:</b> The setting provides transportation for individuals receiving HCBS to the broader community when requested, within reason, and provides information about other transportation options to individuals if and when the setting cannot provide transportation.</p> <p><b>Intent:</b> Setting provides access to the broader community when people request transportation, within reason. A person interacting with the broader community is the intent, and if people need transport to interact with the broader community, then the setting provides the transportation or tells people how to obtain/access other forms of transportation.</p>
<p><b>Validation Comments:</b></p>	

<b>10. The setting provide opportunities and support for people to explore, pursue, and work in integrated community settings for pay that is at least minimum wage.</b>	
<p>a. Does the setting provide opportunities and support for people receiving HCBS to <b>explore</b> the possibility of working in integrated community settings for pay that is at least minimum wage.</p> <p>YES NO</p>	<p><b>Benchmark:</b> The setting provides opportunities and support for people to engage in career/employment exploration opportunities to give people chance to consider working in competitive integrated settings.</p> <p><b>Intent:</b> The setting provides opportunities for people receiving HCBS to explore work in competitive integrated settings.</p>
<b>Validation Comments: Describe how the opportunities are offered, and how often. Also describe how the support is provided as part of offering the opportunity.</b>	
<p>b. Does the setting assist people receiving HCBS to <b>pursue</b> finding work in an integrated community setting for pay that is at least minimum wage?</p> <p>Provider operating setting provides transportation for a person to access ADRS and attend job interviews.</p> <p>YES OR NO</p> <p>Provider operating setting has contract with ADRS to provide SE</p> <p>YES OR NO</p> <p>Provider operating setting is approved provider of SE through Waiver YES OR NO</p>	<p><b>Benchmark:</b> The setting provides opportunities and support for people to pursue work in competitive integrated setting by offering/providing supported employment services and/or providing assistance to enable people to access supported employment services through another entity (e.g. ADRS or another waiver provider approved to provide supported employment services).</p> <p><b>Intent:</b> The setting provides opportunities for people receiving HCBS to explore, pursue and work in competitive integrated settings.</p>
<b>Validation Comments:</b>	

<p>c. If people work for part of the day, does the setting offer support at home, if needed, when the person is not at work that is flexible based on the person's work schedule?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> For a person that may work part of his/her day, the setting offers support at home, if needed by the person, for times when the person is not at work and this support is provided flexibly, based on the person's work schedule.</p> <p><b>Intent:</b> The setting provides flexible scheduling of home-based support, as needed, for individuals who work in the community.</p>
<p><b>Validation Comments:</b></p>	
<p>d. Does the setting support the people they serve participating in integrated community employment (individual jobs in the community paid at least minimum wage) by offering flexible transportation when needed?</p> <p>YES NO</p>	<p><b>Benchmark:</b> The setting offers flexibility with transportation to ensure people can travel between the setting and their integrated community workplace(s) as needed, based on their work schedule.</p> <p><b>Intent:</b> The setting provides transportation on a flexible schedule and uses their transportation, as needed, to support individuals they serve to maintain integrated community employment (individual jobs in the community paid at least minimum wage).</p>
<p><b>Validation Comments:</b></p>	

<p>e. Is the setting aware of whether each person they serve has an integrated employment goal in their person-centered plan?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Setting is aware of each person’s integrated employment goal(s) if receiving prevocational or group supported employment services. Other settings need to be knowledgeable about employment interests of people in their settings.</p> <p><b>Intent:</b> The setting is aware of each person’s integrated employment goal in their service plan if receiving prevocational services. Other settings need to be knowledgeable about employment interests of people in their settings.</p>
<p><b>Validation Comments:</b> Address how you verified your answer.</p>	
<p>f. When a person is working in integrated community employment, does the setting monitor whether the person has the amount of integrated community employment the person desires, and if not, does the setting take appropriate steps to address this?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Setting has methods for tracking whether individuals working in integrated community employment are working the amount they want to work, and if not, setting takes appropriate steps to address this.</p> <p><b>Intent:</b> The setting ensures individuals are working in integrated employment to the extent they desire.</p>
<p><b>Validation Comments:</b></p>	

<p>g. Does the setting provide opportunities and support for people receiving HCBS to volunteer with people without disabilities (who are not paid staff or volunteers) in the broader community to benefit charitable, non-profit organizations that are not HCBS providers?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Setting provides opportunities and support for people to choose to volunteer in the broader community with people without disabilities (who are not paid staff or volunteers), doing volunteer activities that align with individual interests and preferences.</p> <p><b>Intent:</b> The setting provides provide opportunities and support for people receiving HCBS to volunteer with people without disabilities (who are not paid staff or volunteers) in the broader community, to the extent they wish and consistent with individual preferences.</p>
<p><b>Validation Comments:</b></p>	
<p><b>11. The setting has practices, procedures, and policies that support individualized planning and support</b></p>	
<p>a. Does the setting ensure individual needs and preferences of people receiving HCBS are taken into consideration?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting ensures that individual needs and preferences of people are taken into consideration when providing services.</p> <p><b>Intent:</b> The setting ensures that the individual needs and preferences of people receiving HCBS are taken into consideration in how, when and where services are provided.</p>
<p><b>Validation Comments:</b></p>	
<p>b. Does the setting require all direct-support professionals to be trained on what it means to provide person-centered supports (in contrast to agency-centered or staff-centered supports)?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting ensures all direct-support professionals receive annual training on providing person-centered supports.</p> <p><b>Intent:</b> The setting requires all staff to be trained and regularly re-trained on the importance of providing person-centered supports, and staff understand how these differ from agency-centered or staff-centered supports.</p>
<p><b>Validation Comments:</b></p>	



<p>c. Does the setting ensure staff is knowledgeable about the capabilities, interests, preferences, and needs of people receiving HCBS?</p> <p>YES</p> <p>YES (to some extent)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting ensures staff is knowledgeable about the capabilities, interests, preferences, and needs of individuals receiving HCBS. Staff is trained in the communication styles of the people they support, including appropriate technology, and staff is trained in working with the target population.</p> <p><b>Intent:</b> The setting ensures all staff is knowledgeable and understands the target population they are working with in the setting.</p>
<b>Validation Comments:</b>	
<p>d. Do the setting's practices, procedures, and policies ensure responsiveness to the needs of each person who receives HCBS, as defined in their plan?</p> <p>YES</p> <p>NO</p>	<p><b>Benchmark:</b> Setting's practices, procedures, and policies ensure responsiveness to the needs of each person (as defined in their plan).</p> <p><b>Intent:</b> The setting has practices and policies in place to ensure that staff responds to people's needs in a timely manner.</p>
<b>Validation Comments:</b>	
<b>12. The setting provides people with flexibility in their schedule</b>	
<p>a. Is the setting able to adapt activities, routines and daily/weekly plans to the needs and preferences of people who receive HCBS?</p> <p>YES</p> <p>NO</p>	<p><b>Benchmark:</b> Setting is able to adapt activities, routines and daily/weekly plans to the person's needs and preferences upon request. Rigid written schedules are not used. The setting offers a variety of activities at various times throughout the day or week, and can respond to individual requests to flex when specific activities will occur in a given day or week.</p> <p><b>Intent:</b> The setting adapts activities, routines and daily/weekly plans to the needs and preferences of the people who receive services in the setting. Like people not receiving HCBS, individual plans and routines can be altered when an individual requests this to allow flexibility for each person.</p>
<b>Validation Comments:</b>	

<p>b. Does the setting provide people receiving HCBS with the opportunity to participate in negotiating his or her schedule for receiving service, including mealtimes, to offer people receiving HCBS have the same flexibility that people not receiving HCBS typically have?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> Setting provides people choices about their schedule and routines. The setting documents these choices and the options offered. Rigid written schedules, that do not allow for individual flexibility and ability to change plans as needed, are not used.</p> <p><b>Intent:</b> The setting allows people the opportunity to negotiate their schedule, including mealtimes, offer the same flexibility that people not receiving HCBS would have. Rigid written schedules, that do not allow for individual flexibility and ability to change plans as needed, are not used.</p>
<p><b>Validation Comments:</b></p>	
<p>c. Does the setting afford people receiving HCBS the opportunity to regularly and periodically update or change their daily activities?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting offers people opportunities to update and change their daily schedules upon request and at six-month review.</p> <p><b>Intent:</b> The setting offers people receiving HCBS opportunities to update and change their daily schedules upon request.</p>
<p><b>Validation Comments:</b></p>	
<p>d. Does the setting offer people receiving HCBS choices about participation in community opportunities <b>at different times</b>?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting offers people choices about participation in community opportunities at different times. Individuals are able to decline to participate in community opportunities at certain times but choose to participate in community opportunities at other times.</p> <p><b>Intent:</b> Activities should be scheduled flexibly and take into consideration the needs and schedules of participants. Individuals are able to accept or decline to participate in a specific opportunity.</p>
<p><b>Validation Comments:</b></p>	

<b>13. The setting afford opportunities to the person that provides an opportunity for personal growth, consistent with personal goals, preferences and interests.</b>	
a. Does the setting offer opportunities and support, consistent with each person's preferences and goals, to access activities or classes that promote new learning?  YES OR NO	<b>Benchmark:</b> Setting offers opportunities and support to participate in activities, based on personal preferences and goals, that promote new learning in areas of interest identified by person.  <b>Intent:</b> The setting offers opportunities to promote new learning.
<b>Validation Comments:</b>	
<b>14. The setting allow people the freedom to move about inside the setting</b>	
a. Does the setting have <b>rules</b> about freedom of movement inside the setting that could be considered different from what would be typical for people not receiving HCBS?  YES (for all HCBS recipients) YES (only for those HCBS recipients who need these modifications, which are documented in their person-centered plans) NO	<b>Benchmark:</b> Setting does not have rules to restrict freedom of movement inside the setting that could be considered different from what would be typical for people not receiving HCBS.  <b>Intent:</b> The setting allows the person receiving HCBS the freedom of movement within the setting like anyone else not receiving HCBS in the setting, given age and what is in the individual's person-centered plan.
<b>Validation Comments:</b>	
<b>15. The setting is accessible per the Americans with Disabilities Act</b>	
a. Is the setting <b>accessible</b> per the Americans with Disabilities Act? YES (fully) YES (partially) NO	<b>Benchmark:</b> Setting is accessible per the Americans with Disabilities Act (ADA). Setting should have in place policies and procedures on reasonable accommodations.  <b>Intent:</b> The setting is accessible per the Americans with
<b>Validation Comments:</b>	

16. The setting does not have any barriers preventing people's physical movement within the setting	
<p>a. Is the movement of those who receive HCBS restricted by the physical environment differently than for people not receiving Medicaid-funded HCBS?</p> <p>YES</p> <p>NO</p> <p>Movement is restricted by: Check all that apply:</p> <ul style="list-style-type: none"> <li>• Gates or Doors (locked/hard to open)</li> <li>• Fences (without unlocked gates that are easy to open)</li> <li>• Cluttered areas, narrow hallways, areas with limited lighting</li> <li>• Signs saying "Do Not Enter" or "Keep Out" on any space in the setting</li> </ul> <p>(Note: if office for staff is present in setting, expectation that HCBS participants AND staff knock first before entering the office space is ok to ensure privacy if another individual served is in the office with staff having confidential conversation OR if private information must be put away before another person may enter. Office should not be locked if HCBS participants do not have a key. Private information and medications should be locked up within appropriate storage units in the office.</p> <ul style="list-style-type: none"> <li>• Other: Describe in comments section</li> </ul>	<p><b>Benchmark:</b> Setting ensures that people who receive HCBS funding can move around in their physical environment like anyone who is not receiving HCBS. Any approved modifications must be justified and documented in individual person-centered plans.</p> <p><b>Intent:</b> People who receive HCBS funding can move around in their physical environment like anyone who is not receiving Medicaid-funded HCBS.</p>
<p><b>Validation Comments:</b></p>	
17. The setting allows people the freedom to move about on the setting grounds outside the setting	
<p>a. Does the setting allow people receiving HCBS the freedom to move about outside to the same degree of access as people not receiving HCBS?</p> <p>YES (for all HCBS recipients)</p> <p>YES (only for those HCBS recipients who need these modifications, which are documented in their person-centered plans)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting does not have rules to restrict freedom of movement outside the setting that could be considered different from what would be typical for people not receiving HCBS.</p> <p><b>Intent:</b> The setting allows the person receiving HCBS the freedom of movement outside the setting like anyone else not receiving HCBS in the setting, given age and what is in the individual's person-centered plan.</p>
<p><b>Validation Comments:</b></p>	

18. The setting affords people the opportunity to control personal resources.	
<p>a. Does the setting give people the choice to have their own bank account and ATM card, established in their own name?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if rules for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting supports people to control their personal resources by having a bank account and ATM card in their own name, unless modification of this opportunity is justified and documented in the person-centered plan</p> <p><b>Intent:</b> The setting supports people to control their personal resources by having a bank account and ATM card in their own name, similar to adults not receiving HCBS.</p>
<p><b>Validation Comments:</b></p>	
<p>b. Does the setting require people to automatically sign over every employment paycheck or direct deposit to the provider agency or to an account controlled by the provider agency?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all people receiving HCBS in setting)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting supports a person to control their personal resources by being able to retain their employment earnings and only pay over to the provider the amount determined each month that the person owes to the provider for room and board.</p> <p><b>Intent:</b> The setting supports people to control their personal resources by supporting people to directly receive their earned income, similar to adults not receiving HCBS.</p>
<p><b>Validation Comments:</b></p>	

19. The setting affords opportunities for people to keep physical possession of their monetary resources	
<p>a. Does the setting allow people to choose where they keep their monetary resources (cash; checkbook; ATM card)?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if rules for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting allows people to choose where they keep their monetary resources, including cash, checkbook and ATM card, unless modification of this opportunity is justified and documented in the person-centered plan</p> <p><b>Intent:</b> The setting allows people to choose where they keep their monetary resources, similar to people not receiving HCBS.</p>
<b>Validation Comments:</b>	
<p>b. Does the setting offer people a place to lock up their money, checkbook and ATM card (as applicable) which is not used to store other people's money or the agency's money and only the person (and necessary staff, if applicable) has a key to this location?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if rules for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting should offer each person a separate place to keep their money, checkbook, ATM card (as applicable), and only the person (and necessary staff, if applicable) should have a key to this location. If person does not have key, this modification must be justified and documented in the person-centered plan.</p> <p><b>Intent:</b> The setting allows individuals to keep their money in a separate, locked location where only the person (and necessary staff, if applicable) has a key.</p>
<b>Validation Comments:</b>	

20. The setting affords opportunities for individuals to make informed decisions related to spending their own money	
<p>a. Does the setting provide opportunities for people receiving HCBS to make informed decisions about how to spend their own money?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO (limited for all or for some who do not have modification justified and documented in person-centered plan)</p>	<p><b>Benchmark:</b> Setting allows and supports people to make decisions about spending their own money. Setting supports people in implementing the decisions they make about how they want to spend their money (e.g. providing support and transportation to go to places they choose to spend their money, providing support for on-line and/or mail order purchases, etc.).</p> <p><b>Intent:</b> The setting provides opportunities for individuals to make and implement their own decisions regarding how to spend their own money.</p>
<b>Validation Comments:</b>	
<p>b. Does the setting limit when people can access their monetary resources (e.g. cash; checkbook; ATM card)?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting allows and supports people to control personal resources by not limiting when people can access their monetary resources (e.g. cash; checkbook; ATM card).</p> <p><b>Intent:</b> The setting provides opportunities for individuals to access their monetary resources (e.g. cash; checkbook; ATM card) whenever they wish.</p>
<b>Validation Comments:</b>	

<p>c. Is people's ability to access their monetary resources (e.g. cash; checkbook; ATM card) dependent on presence and availability of staff?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting allows and supports people to control personal resources by not limiting when people can access their monetary resources (e.g. cash; checkbook; ATM card) to times when staff are present and available.</p> <p><b>Intent:</b> The setting provides opportunities for individuals to access their monetary resources (e.g. cash; checkbook; ATM card) whenever they wish without being dependent on staff presence or availability.</p>
<p><b>Validation Comments:</b></p>	
<p><b>21. The setting offers a secure and separate place for the person to store personal belongings</b></p>	
<p>a. Does the setting offer a secure place for the person receiving HCBS to store personal belongings which is not used to store other people's belongings or the agency's belongings and only the person (and necessary staff, if applicable) has a key to this location?</p> <p>YES (for all people receiving HCBS in setting)</p> <p>YES (for some but not all; if rules for a particular person, modification is justified and documented in the person-centered plan)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting should offer each person a separate place to keep their personal belongings, and only the person (and necessary staff, if applicable) should have a key to this location. If person does not have key, this modification must be justified and documented in the person-centered plan.</p> <p><b>Intent:</b> The setting allows individuals to keep their belongings in a separate, locked location where only the person (and necessary staff, if applicable) has a key.</p>
<p><b>Validation Comments:</b></p>	



<b>22. The setting supports receiving medical, behavioral, or therapeutic services in typical locations</b>	
<p>a. Does the setting provide any of the following: physical, occupational, and/or speech therapies; counseling and/or mental health treatment; behavioral analysis; medical services from a doctor or nurse practitioner within the setting?</p> <p>YES OR NO</p> <p>If yes, does the setting offer people opportunities and supports to receive all of the above services, offered in the setting, in the places where people not receiving HCBS typically receive these services?</p> <p>YES OR NO</p>	<p><b>Benchmark:</b> People have access and the choice to receive their medical, behavioral or therapeutic services in the same places as others without disabilities (people are not required to receive one or more of these services in an HCBS setting).</p> <p><b>Intent:</b> People have the right to choose and receive their medical treatments in the same places as others without disabilities.</p>
<p><b>Validation Comments:</b> If yes, list which service(s) the setting provides in the setting and for each, note if there is a requirement that people receiving HCBS in that setting must receive the service in the HCBS setting or whether there is an opportunity and support for a person to receive the service in settings where people not receiving HCBS would typically receive these services.</p>	
<b>23. The setting does not use restrictive measures, including isolation, chemical restraints, and physical restraints. Examples may include but are not limited to: lap belts, unreasonable confinement, restrictive garments, or other devices</b>	
<p>a. Does the setting use restrictive measures with people receiving HCBS?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting ensures that any restraint or restrictive measures, if used, are in accordance with policies and only as approved by DMH, otherwise, restrictive measures are not used at all.</p> <p><b>Intent:</b> If yes, then any restraints or other restrictive measures are used in accordance with Alabama policies and only as approved by DMH. Emergency use of restraints is reported to the waiver agency as an incident.</p>
<p><b>Validation Comments:</b></p>	

<p>b. Does the setting's policy mirror DDD Behavioral Services Procedural Guidelines for people receiving HCBS?</p> <p>YES</p> <p>NO</p>	<p><b>Benchmark:</b> Setting's policies match DDD Behavioral Services Procedural Guidelines when they provide services to someone who has approved restrictive measures.</p> <p><b>Intent:</b> The setting's policies match DDD Behavioral Services Procedural Guidelines when they provide services to someone who has approved restrictive measures.</p>
<p><b>Validation Comments:</b></p>	
<p><b>24. The setting ensures that one person's behavior supports do not impede the rights of other people</b></p>	
<p>a. Does the setting ensure that one person's behavior supports do not impede the rights of other people?</p> <p>YES (always)</p> <p>YES (sometimes)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting ensures behavior support plans are implemented in such a way as to not impede the rights of other individuals or restrict the freedoms, rights and activities of others in the setting.</p> <p><b>Intent:</b> Behavior support plans must be implemented in such a way so as to not impede the rights of other individuals or restrict the freedoms, rights and activities of others in the setting.</p>
<p><b>Validation Comments: Document examples to support your answer in comments.</b></p>	

<b>25. The setting's practices, procedures, and policies ensure that each person's plans and supports to address behavioral needs are specific to the person and not the same as everyone else in the setting</b>	
<p>a. Do the setting's practices, procedures, and policies ensure that each person receiving HCBS who has behavioral support needs, has a unique plan and individualized supports to address these behavioral needs and not a plan and supports that is the same as everyone else in the setting who has behavioral support needs?</p> <p>YES (always) YES (sometimes) NO</p>	<p><b>Benchmark:</b> Setting ensures behavior support plans and behavior supports implemented are specific to the person.</p> <p><b>Intent:</b> Behavior support plans and behavior supports that are implemented with a person must be individualized for the person.</p>
<b>Validation Comments: Document examples to support your answer in comments.</b>	
<b>26. The setting has practices, procedures, and policies to ensure staff interacts and communicates with people respectfully and in a manner that reflects the way the person would like to be addressed at all times</b>	
<p>a. Does the setting assure the staff communicates with the person receiving HCBS in a manner that reflects the way the person would like to be addressed while providing assistance and during the regular course of daily activities?</p> <p>YES (all benchmarks met) YES (some but not all benchmarks met) NO</p>	<p><b>Benchmark:</b> Setting ensures staff is respectful of people and addresses the individual in a manner that reflects the way they would like to be addressed. This includes using a person's preferred name, nickname, or title; speaking using a tone of voice that is preferred by the person; using language the person can understand; using alternative communication strategies or devices if needed and/or preferred by the person.</p> <p><b>Intent:</b> The setting ensures that staff is respectful of people and how they would like to be interacted and communicated with.</p>
<b>Validation Comments:</b>	

<b>27. The setting has practices, procedures, and policies to ensure all information about people is kept private and confidential</b>	
<p>a. Does the setting have practices, procedures, and policies to ensure all information about people receiving HCBS is kept private and confidential?</p> <p>YES</p> <p>NO</p>	<p><b>Benchmark:</b> Setting has practices, procedures, and policies to ensure all information about individuals receiving waiver-funded HCBS services is kept private and confidential and receive training on confidentiality upon hire and annually thereafter.</p> <p><b>Intent:</b> The setting has confidentiality procedures in place and people are trained on those procedures upon hire and at least annually thereafter.</p>
<b>Validation Comments:</b>	
<b>28. The setting assures that staff does not talk about an HCBS recipient in the presence of other persons who do not have a “need to know” or in the presence of the individual as if he or she was not present</b>	
<p>a. Does the setting have policy and training to assure that staff does not talk about the person receiving HCBS in the presence of other persons (staff or anyone else) who does not have a “need to know” and that staff does not talk about the individual, in the presence of the individual, as if he or she were not present?</p> <p>YES (assure “need to know” is met)</p> <p>NO (do not assure “need to know” is met)</p> <p>YES (assure don’t talk about individual as if s/he not present)</p> <p>NO (don’t assure don’t talk about individual as if s/he not present)</p>	<p><b>Benchmark:</b> Setting ensures discussion by staff about individuals served protects the privacy of those individuals. They do not talk about an individual receiving HCBS in the presence of other people who do not have a “need to know” nor do they discuss the individual as if he or she were not present.</p> <p><b>Intent:</b> The setting has a policy that ensures staff are always respectful of the right to privacy for people receiving services and each person’s right to be spoken to if s/he is present, rather than being spoken about.</p>
<b>Validation Comments:</b>	

<b>29. The setting support people who need assistance with activities of daily living while ensuring the privacy of the person</b>	
a. Does the setting support people receiving HCBS who need assistance with their personal appearance (e.g., teeth brushing, personal care, toileting, eating) to receive such supports in a way that ensures their privacy? YES NO	<b>Benchmark:</b> Setting ensures privacy when supporting individuals who need assistance with personal care needs.  <b>Intent:</b> The setting ensures privacy when supporting the personal care needs of people.
<b>Validation Comments:</b>	
<b>30. The setting has practices, procedures, and policies to ensure dignity is afforded to people in an age-appropriate manner while dining</b>	
a. Does the setting have practices and policies to ensure dignity is afforded to people receiving HCBS in an age-appropriate manner while dining? YES (has practices and policies) YES (has practices but not policies) YES (has policies but not practices) NO	<b>Benchmark:</b> Setting ensures dignity to people in an age-appropriate way when they are dining. This includes approach to assistance, pace, refusal of food items, food sequence, and choice of dining alone or with others.  <b>Intent:</b> The setting ensures dignity to people in an age-appropriate way when they are dining
<b>Validation Comments:</b>	
b. Does the setting afford people receiving HCBS full access to dining areas with comfortable seating and opportunity to converse with others during break or meal times? YES NO	<b>Benchmark:</b> Setting provides a meal setting where people can move about, talk to others, and be comfortable.  <b>Intent:</b> The setting provides a meal setting where people can move about, talk to others, and be comfortable.
<b>Validation Comments:</b>	
<b>31. The setting provides an alternative meal if requested by the person</b>	
a. Does the setting provide for an alternative meal if requested by the person receiving HCBS? YES NO	<b>Benchmark:</b> If setting provides meals, they will provide an alternative meal if requested.  <b>Intent:</b> If setting provides meals, they will provide an alternative meal, if requested.
<b>Validation Comments:</b>	

<b>32. The setting provide opportunities for private dining if requested by the person</b>	
a. Does the setting provide opportunities for private dining if requested by the person receiving HCBS? YES NO	<b>Benchmark:</b> Setting offers an opportunity for private dining, if the person requests it.  <b>Intent:</b> The setting offers an opportunity for private dining, if the person requests it.
<b>Validation Comments:</b>	
<b>33. People have access to food at any time consistent with people of same age who are not receiving HCBS</b>	
a. Does the setting allow for people receiving HCBS to have a meal or snack at the time and place of their choosing? YES (for all people receiving HCBS in setting) YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan) NO (limited for all or for some who do not have modification justified and documented in person-centered plan)	<b>Benchmark:</b> Setting allows snacks or meals for people receiving HCBS like others in a similar setting not receiving HCBS.  <b>Intent:</b> The setting allows snacks or meals for people receiving HCBS like others of same age not receiving HCBS would have in their home.
<b>Validation Comments:</b>	
<b>34. The setting ensures people are supported to make informed decisions and exercise autonomy to the greatest extent possible</b>	
a. Does the setting policy ensure the informed choice and autonomy of the person receiving HCBS?	<b>Benchmark:</b> Setting provides informed choice for people to make their own decisions and be as autonomous as possible.  <b>Intent:</b> The setting provides informed choice for people to make their own decisions and be as autonomous as possible.
<b>Validation Comments:</b>	

<p>b. Does the setting provide training and support to people receiving HCBS about informed decision-making and autonomy?</p>	<p><b>Benchmark:</b> Setting provides opportunities for people to practice informed choice, decision-making, and autonomy.</p> <p><b>Intent:</b> The setting provides training and support to people receiving HCBS about informed decision-making and autonomy.</p>
<p><b>Validation Comments:</b></p>	
<p>c. Does the setting post and provide information on individual rights for people receiving HCBS?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting provides and posts information about individual rights.</p> <p><b>Intent:</b> All settings must provide and post information about individual rights.</p>
<p><b>Validation Comments:</b></p>	
<p><b>35. The setting offers a variety of options about where people can participate in activities both in the setting and in the broader community.</b></p>	
<p>a. Does the setting offer a variety of options about where people can participate in activities both in the setting and in the broader community?</p> <p>YES (both in setting and broader community) YES (only in setting) NO</p>	<p><b>Benchmark:</b> Setting offers a variety of places to receive services both in the setting and in the broader community. Activities cannot all take place in the same room or building. Options include range of places in the broader of community, indoor gathering space, outdoor gathering space, large group activity area, small group activity area, private space, etc.</p> <p><b>Intent:</b> The setting offers people a variety of places in the physical environment and in the broader community to meet their goals and needs. Activities offered cannot all take place in the same room or building.</p>
<p><b>Validation Comments:</b></p>	

**36. The setting supports people to make a meaningful and informed choice about the activities they will engage in each day, from a variety of meaningful and age-appropriate activities on offer that are responsive to the goals, interests, and needs of people served in the setting**

a. Are people who receive HCBS supported to make meaningful and informed choices about the activities they will participate in while receiving supports from the setting?

YES  
YES (but to a limited extent)  
NO

**Benchmark:** Setting ensures that people who receive HCBS are supported to make meaningful and informed choices in their daily activities, from a list of options that align with their personal goals, interests, and needs. Meaningful and informed choices may be made in a variety of ways, including first-hand experience, exposure, education about options, formal interviews or informal discussion with the person, and consideration of input from parent, guardian or family.

**Intent:** Setting provides supports for people to make meaningful and informed choices about activities they will participate in with support from the setting and which are aligned with the person's goals, interests, and needs.

**Validation Comments:**



<b>37. The setting affords the opportunity for tasks and activities matched to people's age, skills, abilities, desires, or goals</b>	
<p>a. Does the setting afford people who receive HCBS the opportunity for tasks and activities matched to their age, skills, abilities, desires, and goals?</p> <p>YES YES (to some extent) NO</p>	<p><b>Benchmark:</b> Setting matches tasks and activities to the person's goals, interests, preferences, age, skills and abilities, while providing people with well-matched opportunities to explore new options and learn/acquire new skills and abilities. Settings provide an array of different activities and the flexibility to adjust those activities and tasks for each individual served. Settings must:</p> <ol style="list-style-type: none"> <li>1. Provide comparable tasks and activities for individuals of similar age with similar goals, interests, preferences, skills and abilities who do not receive HCBS.</li> <li>2. Utilize comparable strengths-based assessment tools for individuals of similar age, skills, and abilities.</li> <li>3. Ensure that staff uses communication approaches that are the same for individuals of similar age, skills, and abilities.</li> </ol> <p><b>Intent:</b> The setting matches tasks and activities to the person's goals, interests, preferences, age, skills and abilities, while providing opportunities to grow and expand horizons.</p>
<b>Validation Comments:</b>	
<p>b. Does the setting offer people receiving HCBS tasks and activities <b>inside</b> the setting that are comparable to tasks and activities for others of similar ages who do not receive HCBS?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting provides tasks and activities inside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS.</p> <p><b>Intent:</b> People are doing the same thing in the setting as others of similar ages who do not receive HCBS.</p>
<b>Validation Comments:</b>	
<p>c. Does the setting provide offer receiving HCBS with tasks and activities <b>outside</b> the setting that are comparable to tasks and activities for others of similar ages who do not receive HCBS?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting provides tasks and activities outside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS.</p> <p><b>Intent:</b> People are doing the same thing outside the setting as others of similar ages who do not receive HCBS.</p>
<b>Validation Comments:</b>	

38. The setting allows people to choose with whom they spend their time when spending time <u>outside</u> of the setting	
<p>a. Does the setting offer people receiving HCBS choices about <b>who</b> they participate with when engaging in <b>outside activities</b>?</p> <p>YES (who to participate with)  NO (who to participate with)  YES (ability to do activity individually rather than in group)  NO (ability to do activity individually rather than in group)</p>	<p><b>Benchmark:</b> Setting supports participant choice of whom to engage with, and how many people to engage with, during time spent in activities outside the setting.</p> <p><b>Intent:</b> Participants are able to choose with whom to engage with during outside activities. They should also have the choice to participate in outside activities on their own, with support as needed.</p>
<b>Validation Comments:</b>	
39. The setting allows people to choose with whom they spend their time while <u>in</u> the setting	
<p>a. Does the setting allow people receiving HCBS to choose <b>who</b> they spend time with, including who they sit by at meals or during free time while <b>in the setting</b>, to the same extent as people not receiving HCBS?</p> <p>YES  NO</p>	<p><b>Benchmark:</b> Setting does not restrict whom a person socializes or spends time with during free time (mutual).</p> <p><b>Intent:</b> The setting does not restrict or have rules for who a person socializes or spends time with during free time, assuming mutual desire.</p>
<b>Validation Comments:</b>	

<p>b. Does the setting impose limits on whom people receiving HCBS can talk to and spend time with while in the setting?</p> <p>YES</p> <p>NO</p>	<p><b>Benchmark:</b> Setting does not set limits on who people can talk to and spend time with while in the setting that may be considered different than for people not receiving HCBS.</p> <p><b>Intent:</b> The setting does not impose limits on who people can talk to and spend time with in the setting, assuming mutual desire.</p>
<b>Validation Comments:</b>	
<b>40. The setting allows people to choose which of the setting's employees provide his or her services</b>	
<p>a. Does the setting allow people receiving HCBS to choose which of the setting's employees provide his or her services?</p> <p>YES</p> <p>YES (to some extent)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting allows flexibility for people to choose which staff they would like to work with, within reason, if it does not negatively impact the quality of services being provided to others in the setting.</p> <p><b>Intent:</b> People should be able to choose which staff they would like to work with, within reason. This staff choice can only happen if it does not negatively impact the quality of services being provided to others in the setting.</p>
<b>Validation Comments:</b>	
<b>41. The setting posts or provides information to people about how to make a request for additional services or accommodations, or to modify when and where they are receiving services, and what activities they are participating in.</b>	
<p>a. Does the setting post or provide information to people receiving HCBS, including their families or guardians, about how to make a request for additional services or accommodations, or make changes to any aspect of the services they are receiving through the setting?</p> <p>YES (all of the above)</p> <p>YES (some of the above)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting provides information via posts or informs individuals about how to make a request for additional services, accommodations, and how to make changes to any aspect of the services they are receiving through the setting.</p> <p><b>Intent:</b> The setting provides information to people receiving HCBS, including their families or guardians, about how to make a request for additional services or accommodations, and how to make changes to any aspect of the services they are receiving through the setting.</p>
<b>Validation Comments:</b>	

42. The setting offers people a lease agreement with the same protections as people not receiving HCBS who are leasing the place where they live.	
<p>a. Does the setting have a lease agreement with each person receiving HCBS that is living in the setting and does the lease agreement include same responsibilities and protections from eviction as all tenants under landlord-tenant laws of Alabama?</p> <p>YES (lease agreement for each person in place and includes same responsibilities and protections from eviction)</p> <p>YES (lease agreement for each person but lacking same responsibilities and protections from eviction)</p> <p>NO</p>	<p><b>Benchmark:</b> Setting has a lease agreement with people receiving HCBS commensurate with Alabama Landlord/Tenant law.</p> <p><b>Intent:</b> The setting ensures people receiving HCBS have the same rights and protections related to leasing the place they live as people not receiving HCBS.</p>
<b>Validation Comments:</b>	
43. The setting offers each person, with a preference and/or need, a private unit, taking account of financial ability to pay as one factor that may prohibit a person from accessing a private room/unit.	
<p>a. Did the setting offer each person living there the option of a private room/unit unless a person did not have the financial ability to afford the cost of a private room/unit?</p> <p>YES (requirement met for all HCBS residents living in the setting)</p> <p>YES (requirement met for some but not all HCBS residents living in the setting)</p> <p>NO (requirement met for no HCBS residents living in the setting)</p>	<p><b>Benchmark:</b> Setting offers option of private room/unit, unless a person cannot afford the cost of a private room/unit in that setting.</p> <p><b>Intent:</b> The setting ensures people receiving HCBS have the option of a private room/unit if they have the financial resources to afford this, similar to what is typical for people not receiving HCBS.</p>
<b>Validation Comments:</b>	

<b>44. The setting offers each person a room/unit with a lockable entrance door, provides key to the person for their room/unit, and only gives copies of the keys to the room/unit to staff if necessary.</b>	
<p>a. Does the setting have lockable entrance doors on the unit and private bedrooms (if the bedrooms in the unit are each leased by separate individuals)?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting offers lockable entrance doors for the unit (and each bedroom in the unit if each is leased by separate individual).</p> <p><b>Intent:</b> People have lockable doors on the units they lease (and bedrooms within a unit as appropriate), similar to what is typical for people not receiving HCBS.</p>
<b>Validation Comments:</b>	
<p>b. Did the setting provide each person with a key to the entrance door(s) of their unit (and to their individual bedroom if there are multiple bedrooms in the unit)?</p> <p>YES (for all people receiving HCBS in setting) YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan) NO (limited for all or for some who do not have modification justified and documented in person-centered plan)</p>	<p><b>Benchmark:</b> Setting provides each HCBS participant with a key to the entrance door(s) of their unit (and to their individual bedroom if there are multiple bedrooms in the unit)?</p> <p><b>Intent:</b> The setting ensures people receiving HCBS have a key to the entrance door(s) of their unit (and to their individual bedroom if there are multiple bedrooms in the unit), similar to what is typical for people not receiving HCBS.</p>
<b>Validation Comments:</b>	

<p>c. Does the setting ensure staff are provided a key to the entrance door(s) of the unit and to individual bedrooms (if there are lockable doors on bedrooms in the unit) only if necessary and that these keys are only provided to staff who need to have them.</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting ensures privacy of HCBS participant by ensuring staff are provided a key to the entrance door(s) of the unit and to individual bedrooms (if there are lockable doors on bedrooms in the unit) <u>only if necessary</u> and that these keys are <u>only provided to staff who specifically need to have them</u>.</p> <p><b>Intent:</b> The setting ensures the privacy of people receiving HCBS by not providing a key to the entrance door(s) of their unit (and to their individual bedroom if there are multiple bedrooms in the unit) to staff if this is not necessary, and to limit how many staff have these keys based on justifiable need.</p>
<p><b>Validation Comments:</b></p>	
<p><b>45. The setting supports and does not restrict each person in furnishing and decorating their unit/room, within the terms of the lease agreement.</b></p>	
<p>a. Does the setting support each person to furnish and decorate their unit (reaching agreement with others who may share the unit) and their bedroom (reaching agreement with the person sharing the bedroom if applicable) as the person chooses, so long as they stay within the terms of the lease agreement?</p> <p>YES (for all people receiving HCBS in setting) YES (for some but not all; if limited for a particular person, modification is justified and documented in the person-centered plan) NO (limited for all or for some who do not have modification justified and documented in person-centered plan)</p>	<p><b>Benchmark:</b> Setting supports and permits people to furnish and decorate their own unit/room as they choose, consistent with the lease agreement, similar to what is typical for people not receiving HCBS.</p> <p><b>Intent:</b> People have support and ability to furnish and decorate their unit (reaching agreement with others who may share the unit) and their bedroom (reaching agreement with the person sharing the bedroom if applicable) as they choose, so long as they stay within the terms of the lease agreement.</p>
<p><b>Validation Comments:</b></p>	

46. The setting supports people to have choice of who they share their living unit with, including a bedroom if they choose to share a bedroom rather than having a private bedroom of their own.	
<p>a. Does the setting provide people with the opportunity to choose who they will share their living unit with, by facilitating introductions and get-to-know each other opportunities that can allow people to make a mutual choice about whether they want to share a unit?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting supports people to have choice about who they share a living unit with, similar to what is typical for people not receiving HCBS.</p> <p><b>Intent:</b> People have the opportunity to make an informed and mutual choice about who they share a living unit with.</p>
<b>Validation Comments:</b>	
<p>b. Are people already living in the setting, after meeting a potential new unit-mate through introductions and get-to-know each other opportunities, able to provide meaningful input into whether the potential new unit-mate is able to move into the unit?</p> <p>YES NO</p>	<p><b>Benchmark:</b> Setting supports people already living in a unit to have input about what new people might move into the unit.</p> <p><b>Intent:</b> People already living in a unit have support and some ability to influence who moves into the unit, if there is a vacancy.</p>
<b>Validation Comments:</b>	
<p>c. If a bedroom is shared, does the setting ensure the two people sharing mutually agree to share and they have the option to renegotiate this arrangement with the setting, if at any time this becomes necessary?</p> <p>YES (for all people receiving HCBS in setting) YES (for some but not all people receiving HCBS in setting) NO (for all people receiving HCBS in setting)</p>	<p><b>Benchmark:</b> Setting supports policy and practice that bedroom in unit is shared only if two people sharing both mutually agree to share and they have the option to renegotiate this arrangement with the setting, if at any time this becomes necessary.</p> <p><b>Intent:</b> People with pre-established relationships have option to share a bedroom if each have a lease agreement and both mutually agree to share the bedroom. This arrangement may need to change at some point; therefore, it should be possible for people to renegotiate this arrangement with the provider that operates the setting, if necessary.</p>
<b>Validation Comments:</b>	

<b>47. People who choose this setting have the option to choose a non-disability specific setting to receive residential services and this choice is documented in each person's person-centered plan</b>	
<p>a. Do the person-centered plans for the individuals residing in this setting document the choice(s) of a non-disability specific setting that was offered to the person and further document that the person was aware of the opportunity to choose a non-disability specific setting, but chose this disability-specific setting?</p> <p>YES (everything required is documented in PCP)  YES (part but not all of what is required is documented in PCP)  NO (nothing required is documented in PCP)</p>	<p><b>Benchmark:</b> Persons receiving residential HCBS must be provide with opportunity to choose a non-disability specific setting (a residential setting not owned and/or controlled by an HCBS provider) and the non-disability specific setting(s) offered must be documented in the PCP along with confirming the person was made aware s/he could choose a non-disability specific setting but the person chose this provider owned and/or controlled setting.</p> <p><b>Intent:</b> PCP process must ensure people are offered the choice of at least one non-disability specific setting in which to receive residential services, in addition to being offered a provider owned and/or controlled residential setting(s). What is offered must be fully documented in the PCP, as well as confirmation the person understood they had the choice and documentation of the choice they made.</p>
<b>Validation Comments:</b>	
<b>48. The setting allows prospective participants the opportunity to visit the setting before making a choice of setting.</b>	
<p>a. Does the setting allow prospective participants the opportunity to visit the setting?</p> <p>YES  NO</p>	<p><b>Benchmark:</b> Setting allows prospective participants the opportunity to visit the setting.</p> <p><b>Intent:</b> The setting allows prospective participants the opportunity to visit the setting.</p>
<b>Validation Comments:</b>	
<b>ENVIRONMENTAL OVERVIEW</b>	
<p><b>Observations – Home Environment</b></p> <p>• Is the home clean?    <b>Yes</b>    <b>No</b></p> <p>• Any broken windows, appliances, plumbing, electrical fixtures?    <b>Yes</b>    <b>No</b></p> <p>• Any exits cluttered or blocked?    <b>Yes</b>    <b>No</b></p> <p>Notes (Other environmental hazards, etc.):</p>	
<p><b>Observations - Safety</b></p> <p>• Have fire and severe weather drills been rehearsed? <b>Yes</b>    <b>No</b>                      Drill records completed in full?    <b>Yes</b>    <b>No</b></p>	



• Any trends noted based on incident review data? <b>Yes</b> <b>No</b>			Has provider addressed any identified concerns? <b>Yes</b> <b>No</b>		
Notes (Other identified safety hazards/concerns):					
<b>Observations - Restrictions</b>					
• Any special staffing stipulated?		<b>Yes</b>	<b>No</b>	Special staffing implemented as required?	
• Any Behavior Support Plans (BSP's) in place?		<b>Yes</b>	<b>No</b>	BSP's current and signed by required entities?	
• Any other restrictions stipulated?		<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
• Fading plans included in BSP's for special staffing and any other restrictions?		<b>Yes</b>	<b>No</b>	<b>N/A</b>	
Notes (List specific restrictions, persons with BSP's, etc.):					
<b>State of Satisfaction</b>					
Record the person's opinion of the home, including likes/dislikes and preferences for change:					
<b>Setting Name and Address:</b>					
<b>Provider Operating the Setting:</b>					
<b>Signature:</b>		<b>Print Name:</b>			<b>Date Validation Completed:</b>

<b>Setting Name and Address:</b>		
<b>Provider Operating the Setting:</b>		
<b>Signature:</b>	<b>Print Name:</b>	<b>Date Validation Completed:</b>